

Appln No. 10/621,008

Amdt date March 29, 2004

Reply to Office action of December 31, 2003

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 1 - 4 are now in the application.

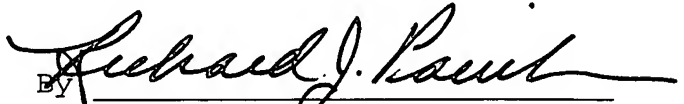
The Examiner has objected to the Specification, indicating updated information on application 10/043,788 is needed. The Applicant has updated the Specification accordingly.

The Examiner has provisionally rejected Claims 1 - 4 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1 - 4 of U.S. Patent No. 6,628,149. The Examiner states that pending Claims 1 - 4 of the present application would be allowable if a timely Terminal Disclaimer is filed.

The Applicant submits herewith a Terminal Disclaimer to overcome the obviousness-type double patenting rejection. Accordingly, the Applicant respectfully requests that the provisional double-patenting rejection be withdrawn.

Accordingly, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. Reconsideration and reexamination of the above Application is requested.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP


By _____

Richard J. Paciulan

Reg. No. 28,248

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